

AMENDED IN ASSEMBLY MAY 23, 2014

AMENDED IN ASSEMBLY APRIL 21, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1621

Introduced by Assembly Members Lowenthal and Rodriguez

February 6, 2014

An act to add Section 1797.119 to the Health and Safety Code, relating to emergency medical services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1621, as amended, Lowenthal. Emergency medical services: data and information system.

Existing law, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, governs local emergency medical service systems. The act establishes the Emergency Medical Services Authority, which is responsible for the coordination and integration of all state agencies concerning emergency medical services. Existing law also creates the Commission on Emergency Medical Services, and requires the commission to perform various duties regarding the authority and emergency medical services.

Existing law requires the authority to develop planning and implementation guidelines for emergency medical services systems that address data collection and evaluation, among other things. Existing law requires the commission to review and approve regulations, standards, and guidelines developed by the authority.

This bill would require the authority to ~~develop and adopt minimum standards for maintaining and implementing a State Emergency Medical Services Data and Information System (SEMSDIS), which would~~

~~include, among other things, data and information relating to prehospital care and specialty care, for purposes of determining and monitoring the quality and effectiveness of the statewide emergency medical system. utilize its California Emergency Medical Services Information System (CEMSIS) and adopt minimum standards for the collection of information regarding prehospital care to determine and monitor the quality and effectiveness of the statewide emergency medical system, compliant with the most current National Emergency Medical Services Information System (NEMSIS) standards, and to avoid unnecessary duplication of data collection at the local level. The bill would require the authority to develop guidelines regulations and standards for electronic patient care record systems used by local emergency medical services agencies and local prehospital emergency medical services providers' electronic patient care record systems providers to ensure compatibility with SEMSDIS. The bill would require emergency medical services providers and hospitals that receive emergency medical services patients to perform specified tasks concerning SEMSDIS. CEMSIS.~~ The bill would require the authority to comply with its provisions on or before July 1, 2016. The bill would require the authority to post proposed rules and to notify the public with regard to commenting on the proposed rules, as specified.

The bill would also require local EMS agencies to submit specified information to the authority. By imposing new duties on local officials, the bill would impose a state-mandated local program.

The bill would provide that all of the above provisions and any rules or regulations adopted pursuant to those provisions would only be implemented to the extent that funds are made available through an appropriation in the annual budget act.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 1797.119 is added to the Health and Safety Code, to read:

1797.119. (a) (1) In order to fulfill the authority's responsibility to assess emergency medical services and their effectiveness as required by Section 1797.102, the authority shall develop a State Emergency Medical Services Data and Information System (SEMSDIS), and, after approval by the commission, adopt minimum standards for maintaining and implementing SEMSDIS. *utilize its California Emergency Medical Services Information System (CEMSIS) and adopt minimum standards for the collection of information regarding prehospital care to determine and monitor the quality and effectiveness of the statewide emergency medical system, compliant with the most current National Emergency Medical Services Information System (NEMSIS) standards, and to avoid unnecessary duplication of data collection at the local level.*

~~(2) SEMSDIS shall include, but not be limited to, data and information relating to prehospital care and specialty care.~~

~~(3) The purpose of SEMSDIS shall be to determine and monitor the quality and effectiveness of the statewide emergency medical system.~~

~~(4)~~
(2) The authority shall comply with this section on or before July 1, 2016.

(b) (1) The authority shall develop ~~guidelines~~ *regulations* and standards for ~~local emergency medical services agencies and local prehospital emergency medical services providers'~~ *electronic patient care record systems used by local emergency medical services agencies and local prehospital emergency medical services providers* to ensure compatibility with ~~SEMSDIS, CEMSIS,~~ including, but not limited to, a common data dictionary, integration of first responder data and transport provider data, and patient outcome data, ~~consistent~~ *compliant* with current ~~national~~ *NEMSIS* standards and privacy requirements in state and federal law. *Privacy requirements shall ensure that all patient data obtained from emergency medical service providers for the purpose of this section is subject to legal privacy and security standards consistent with privacy and security protections for personal health data in*

1 *the possession of emergency medical services providers under*
2 *state and federal law.*

3 (2) *The regulations and standards developed by the authority*
4 *shall describe minimum standards for the purposes of standardizing*
5 *data collection and encouraging compatibility between systems.*
6 *The regulations and standards shall allow the use of any*
7 *prehospital electronic patient record system, provided that the*
8 *system is compatible with CEMSIS, compliant with NEMSIS, and*
9 *meets the standards set by the authority.*

10 (2)
11 (3) The authority shall consult with stakeholders in the
12 development of standards and ~~SEMSDIS, compatibility with~~
13 ~~CEMSIS~~, including air ambulance providers and other entities not
14 included in the California Commission on Emergency Medical
15 Services membership.

16 (e) ~~Prehospital emergency medical services providers shall do~~
17 ~~all of the following concerning SEMSDIS:~~

18 (1) ~~Implement the electronic collection of prehospital care~~
19 ~~reports using standard procedures, definitions, and interoperable~~
20 ~~coding as adopted by the authority in the minimum standards~~
21 ~~described in paragraph (1) of subdivision (a) and paragraph (1) of~~
22 ~~subdivision (b). For purposes of this paragraph, “prehospital care~~
23 ~~reports” include, but are not limited to, documentation of the event,~~
24 ~~incident, or medical condition precipitating the need for emergency~~
25 ~~medical services, the treatment provided, and the patient’s medical~~
26 ~~history.~~

27 (2) ~~Submit completed electronic patient care reports to the local~~
28 ~~EMS agency in a timely manner.~~

29 (4) *Local emergency medical services agencies and local*
30 *prehospital emergency medical services providers that upgrade*
31 *or purchase an electronic patient care record system on or after*
32 *the date the authority issues final guidance pursuant to paragraph*
33 *(1) shall ensure that the system complies with standards contained*
34 *in that guidance.*

35 (d)
36 (c) Local EMS agencies shall submit patient information
37 consistent with the requirements of paragraph (1) of subdivision
38 (a) ~~and paragraph (1) of subdivision (b)~~, to the authority in a timely
39 manner, using national standards *and electronic transfer* when
40 available.

1 ~~(e)~~

2 ~~(d)~~ The authority, in order to exercise the powers and perform
3 the duties conferred upon it by this chapter, and in accordance with
4 Chapter 3.5 (commencing with Section 11340) of Part 1 of Division
5 3 of the Government Code, shall adopt, amend, or repeal any rules,
6 regulations, or standards as may be necessary.

7 ~~(f)~~

8 ~~(e)~~ The authority shall post any proposed rules promulgated
9 under this section on its public Internet Web site no later than 90
10 calendar days prior to the effective date of the proposed rule, which
11 shall also include notification to the public regarding how members
12 of the public may comment, including the date by which those
13 comments must be received in order to be considered by the
14 authority.

15 ~~(g)~~

16 ~~(f)~~ This section and any rules and regulations promulgated
17 pursuant to this section shall only be implemented to the extent
18 that funds are made available through an appropriation in the
19 annual Budget Act.

20 SEC. 2. If the Commission on State Mandates determines that
21 this act contains costs mandated by the state, reimbursement to
22 local agencies and school districts for those costs shall be made
23 pursuant to Part 7 (commencing with Section 17500) of Division
24 4 of Title 2 of the Government Code.